

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JOSHUA C. LOWRY, ANTHONY)	
LAW, RAYMAR MCKENZIE,)	
JAMES SMITH and MICHAEL)	
CHAMPION,)	
)	
Plaintiffs,)	
)	
v.)	2:22cv991
)	Electronic Filing
DENA BROWN TRINITY GROUP)	
SERVICE STAFF, BENJAMIN)	
O'LEARY TRINITY GROUP SERVICE)	
STAFF, CORITHIAN FOODS FOOD)	
DISTRIBUTOR FOR TRINITY GROUP)	
SERVICE, JENNIFER PASSERELLI)	
DEPUTY WARDEN, DAVID WINTERS)	
CAPTAIN, SCOTT (UNKNOWN))	
TRINITY GROUP SERVICE STAFF,)	
JANICE (UNKNOWN) TRINITY)	
GROUP SERVICE STAFF,)	
)	
Defendants.)	

MEMORANDUM ORDER

The Complaint in the above captioned case was filed on July 6, 2022, and was referred to United States Magistrate Judge Maureen P. Kelly for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Local Rules of Court 72.C and 72.D.

The Magistrate Judge's Report and Recommendation (ECF No. 72) filed on August 28, 2023, recommended that defendants Jennifer Passerelli, David Winters and Dena Brown's pending motions to dismiss be granted as to the claims asserted by Plaintiff Anthony Law. The parties were informed that objections to the Report and Recommendation were due by September 12, 2023. No objections have been filed.

After review of the pleadings and documents in the case, together with the Report and Recommendation, the following Order is entered:

AND NOW, this 23rd day of October, 2023,

IT ORDERED that defendants [54], [57] the motions to dismiss for failure to state a claim upon which relief can be granted filed by defendants Jennifer Passerelli, David Winters and Dena Brown's pending motions to dismiss be GRANTED as to the claims asserted by Plaintiff Anthony Law. The [72] Report and Recommendation of Magistrate Judge Kelly dated August 28, 2023, is adopted as the opinion of the Court.

s/David Stewart Cercone
David Stewart Cercone
Senior United States District Judge

cc: Joshua C. Lowry
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(Via CM/ECF Electronic Mail)